



Unified Development Ordinance Committee

Meeting Minutes March 3, 2011 9:00 am

Members Present: Bill McDonald, Becky Noble, Alan Doolittle, Bill McLane, Charlie Nern, Jim Strandquist, Marci Berry, Tom Vincenz, Al Seibert, Eddie Walters, Carol Santavicca

Members Absent: None

Staff Present: Jeff Curtis, Cindy Nelson

Others Present: Landin Holland, Leon August, Sybil Kesterson, Carol Scott, Karen Joseph

1. **Call to Order**-Meeting was called to order at 9:00 am. All members were present.
2. **Approval of Minutes-From the February 17, 2011 Public Input Meeting.** Bill entertained a motion to approve the minutes as mailed. The motion was carried by Al Seibert and a second was made by Marci Berry. Motion was carried unanimously.
3. **Appoint a Vice Chairman for the Committee**-The Chairman opened the floor for the nomination of a Vice Chairman. Al Seibert nominated Eddie Walters. Eddie suggested that a public citizen on the committee who had knowledge of running meetings should be nominated. A few names were brought forth. Jeff Curtis suggested Becky Noble as a good choice. Nomination was closed. Becky was elected by unanimous vote as the Vice Chairman of the Committee.
4. **Landin Holland to begin discussion for the days meeting; identifying potential solutions and approaches:**

Landin informed the Committee that today they will be reviewing the Areas of Concern. The proposed Table of Contents will also be reviewed.

Attachment 1-Areas of Concern

Attachment 2-Table of Contents

Landin started through the Areas of Concern and talked about the issues for each item on the list.

Lighting Standards. These changes would be in effect for existing areas of development; and, will also strengthen new areas of development. This helps address light pollution. A good example is bright lights that shine in a person's bedroom all night. These standards will have language in place to alleviate that.

Billboards. At this time the current sign regulations seem to work well and fit in with the character of the town. Landin said he did not see this standard changing much.

Tree Preservation. Landin said the Town has very strict regulations on Tree Preservation Standards. Landin stated that there are two issues with the current ordinance; one is the regulations do not apply to single family home owners- trees cannot be cut down before a Certificate of Occupancy is issued, but, after a Certificate of Occupancy is issued, a property owner can cut down as many trees as desired. When the new regulations are drafted, this will be one of the items that will be worked on.

After more discussion on the subject, Landin recapped what will be reviewed, and that will be the existing ordinances for tree removal on single family lots and for commercial properties. A consideration should be made to include the ability to provide maintenance on commercial properties.

Bill McDonald asked Landin if other Town Regulations provide a list of trees that can be removed. Landin said yes, Brunswick County has a specific list for tree removal. For example; if one of the trees on the list has to be removed, then the landscaping requirements for that project changes and other trees have to be planted to replace those that were taken out.

Address Nonconformities. One of the current issues is that some districts do not allow golf courses. This is something that will be cleaned up as much as possible so things fit where they are supposed to. Also, we want to consider the potential for a major catastrophe and how structures will be rebuilt. In other words, if a single family subdivision needs to be rebuilt, we want to be able to build it back the way it was and not have other uses replaced there that don't belong; i.e. condominiums.

Landscaping. We will be looking at the standards already in place and update and reorganize as needed to make the regulation more readable. All in all, the current landscaping ordinance is pretty decent.

Jim Strandquist said there are certain areas on the island where people have moved their landscaping to the edge of their property and it is very difficult to see to turn onto another street. Jeff said there are currently regulations in the ordinance to address the sight visibility triangle, it is clearly stated and this can be resolved immediately.

Jeff asked Landin if the Table of Contacts would include provisions for “Leed Certified Building” with an exception for Landscaping. Landin said yes, provisions can be added to allow for Leed Certified Building and Landscaping. Currently the regulations do not have a provision that would include Leed Certification. This will allow Leed Certified landscaping standards for the new Fire Station #2 and future development as well.

Sign Regulations. Already discussed earlier in the meeting

Establish Design Standards. General standards will be incorporated for building exteriors, roofing, fencing materials and the like in non-residential districts. This will help provide guidance to developers.

Parking Standards. These Standards will be reviewed to make sure they correlate properly with the Table of Uses for parking and that the standards are usable. Sometimes, too much parking could be required and then there is not enough room for the building. This is an especially important issue in coastal communities where land is expensive and usable land should not be wasted on parking if it is not necessary. The standards should not be a burden or an over requirement. Eddie Walters mentioned that the Parking Regulations have recently been revised by the Planning Board and these topics were taken into consideration.

Review District Boundaries. No discussion.

Discussion ended on the topic of Areas of Concern.

Al Seibert commented that his biggest concern in all this is allowing billboards. Landin said the general concern in most Towns is allowing off premise signs. Traditional billboards will are not typically allowed with in a Town’s limits. But, different approaches would be working with the business owners to allow some type of off premise signs or directional signs.

Landin asked if they were any other comments or questions.

Jeff said he had a few questions and suggestions:

Brunswick Electric expressed interest in being part of the development process for the Lighting Standards. A representative will come and sit with the committee and help work through this with us.

Jeff continued; what is Article 2 Section 2.17 Property Owner's Association? Landin explained that this is a standard for when a new subdivision is established. It is assurance that a Property Owners Association (POA) will be in place before and Certificate of Occupancy's are issued. The POA documents have to be in hand, reviewed, and approved by an attorney. It's a way to protect the potential property owners purchasing lots in that development. Eddie said there are issues with the Sunset Lakes Subdivision in which there is conflict with the setback requirements. The Town has one set back requirement and the POA has another. There are other issues in older subdivisions as well, including Sea Trail. Everyone on the Committee agreed this would be a good provision to have in place.

Jeff then made a suggestion for Article 3 Section Part V Planning Board. When amendments are requested; applicants are given a checklist of how the process works. Can we include on the checklist that the request has to be in line with our Land Use Plan (LUP)? Landin answered that it sure can. Under CAMA Regulations, the Land Use Plan has to be amended and then have CRC Certification again. This is no small task. What most Town's and County's do is amend the LUP as they need too. So, if you have a rezoning request, you can recommend an LUP amendment in conjunction with that request. Then, once a year take a batch of changes to the CRC so you're not dealing with it every time there is a request or change.

Finally, Jeff added that Carol and Eddie reviewed the Planning Board Rules of Procedure, and made some changes to be incorporated in the new standards.

Landin explained that the layout and text of the Table of Contents looks drastically different even though the existing ordinance will fit into the new outline. It's just a new format.

Landin then explained the purpose and meaning of each Article. Some standards will stay the same, some will be new, and there will be changes in others. An example of new standards to be discussed would be Section 7.30 Storage, and PODS being stored in driveways indefinitely, or, people living in campers on residential properties, or a builder using his property as a storage yard for materials.

Additional discussion on the various articles in the Table of Contents continued.

Landin said the next scheduled meeting will be dependent on the approval of the Town Council for the Table of Contents. Their meeting will be on March 7, 2011. Should the Council approve this, it will take our firm about 45 to 50 days to write the draft ordinance. Once that is complete, it will be distributed to the committee members for review. Then next meeting will be scheduled 2 to 3 weeks after that, we will then have frequent committee meetings to read over the draft, discuss and make changes.

5. Public Comment-None

6. Adjournment-Meeting adjourned at 10:20 am. Bill entertained a motion to adjourn. Motion made by Al. Seconded by Eddie. Motion carried unanimously.

An attachment has been added to the minutes, by request, Tim Tilma General Manager for Sandpiper Bay Golf & Country Club, submitted a letter expressing concerns having to do with the Tree Preservation Ordinance. (Attachment 3)

Bill McDonald-Committee Chairman

Cindy Nelson-Committee Secretary